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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10 Plaintiff,

11 v.

12 Guadalupe Velazquez,
13 Defendant.
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No. CR 12-00877-04-PHX-NVW

ORDER

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16 Before the Court is Defendant's Motion to Suppress Evidence Obtained Via GPS
17 Tracking of Vehicles (Soc. 1078) and the Response (Doc. 1093). No reply was filed.
18 Neither party requested oral argument.


19 There is no basis to exclude the information obtained after search warrants were
20 obtained on February 8, 2012. Defendant's request to do so is groundless.

21 Defendant also seeks to suppress the information obtained from the tracking
22 devices from the time they were installed in public places without warrant until *United*
23 *States v. Jones*, 565 U.S. 400 (2012), was decided on January 23, 2012. Ninth Circuit
24 authority is squarely to the contrary, authority that Defendant did not cite or discuss in
25 her Motion and to which she offers no reply. *United States v. Pineda-Moreno*, 688 F.3d
26 1087, 1090 (9th Cir. 2012); *cf. United States v. Pineda-Moreno*, 591 F.3d 1212, 1214-15
27 (9th Cir. 2010) (discussing pre-*Jones* Ninth Circuit precedents). The devices were
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1 installed in reasonable good faith reliance on prior Ninth Circuit authority under which a
2 warrant was not required. The reasonable good faith defeats suppression.

3 IT IS THEREFORE OREDERED that Defendant's Motion to Suppress Evidence
4 Obtained Via GPS Tracking of Vehicles (Soc. 1078) is denied.

5 Dated: May 8, 2019.

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9 Neil V. Wake
10 Senior United States District Judge
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